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Sheriff's Department Headquarters
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November 6, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S
INTERNAL MONITORING, PERFORMANCE AUDITS
AND ACCOUNTABILITY COMMAND
UNIFORM CRIME REPORTING ASSAULT CLASSIFICATION AUDIT**

The Los Angeles County Sheriff's Department's (Department) Internal Monitoring, Performance Audits and Accountability Command (IMPAAC) conducted an audit of assaults from incident reports occurring within the Department's patrol operations. The audit was requested for the purpose of providing Department executives a review of the current procedures for the classification of crimes specifically related to simple and aggravated assaults.

The Department's IMPAAC Auditors found the reports were correctly classified 80 percent of the time for aggravated assaults and 91 percent of the time for simple assaults. The foundation for the majority of errors was found in the misapplication of the proper classification (statistical coding) according to Federal Uniform Crime Reporting (UCR) standards that are specifically related to the use of weapons, and level of injury of the reported incidents. Attached is a copy of the assaults audit for your review.

Should you have questions, please contact Commander Gerald K. Cooper, IMPAAC, at (323) 265-6571.

Sincerely,

JOHN L. SCOTT
SHERIFF

A Tradition of Service

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S
INTERNAL MONITORING, PERFORMANCE AUDITS AND ACCOUNTABILITY COMMAND
UNIFORM CRIME REPORTING ASSAULT CLASSIFICATION AUDIT
PROJECT NUMBER 2014-9
JULY 1, 2013 to JUNE 30, 2014
AUDIT REPORT**

EXECUTIVE SUMMARY

The Department's Internal Monitoring, Performance Audits and Accountability Command (IMPAAC) conducted an audit of assault related incident reports occurring within the Department's patrol operations. IMPAAC's Auditors (Auditors) examined the initial classification of these assault reports at the time they were completed and approved at the Department's station level. The IMPAAC's Auditors found the reports were correctly classified 80 percent of the time for aggravated assaults, and 91 percent of the time for simple assaults. The foundation for the majority of errors was found in the misapplication of the proper classification (statistical coding) according to Federal Uniform Crime Reporting (UCR) standards specifically related to the use of weapons and level of injury in the reported incidents.

PURPOSE

The Department conducted an audit for the purpose of providing Department executives with a review of the current procedures for the classification of crimes, specifically relating to assaults (simple and aggravated). The audit provides an analysis as to how the Department is complying with UCR standards when reporting both Part I and Part II assault crimes, which is outlined in the Summary Reporting System User Manual (SRS Manual) 2013.¹

BACKGROUND

On September 8, 2014, the Los Angeles County (County) Office of the Inspector General (OIG) presented to the Board² their findings of a preliminary review of the Department's crime statistic reporting related to assaults. The review indicated there was no reason to believe the Department was systematically reclassifying crime reports to either over report or under report crime rates for serious crimes. However, the review also stated the Department over classified a significant number of simple assaults as aggravated assaults. In order to provide a comprehensive review of the Department's classification procedures related to assaults, a more thorough audit was conducted.

Recognizing the importance of proper crime classification, the Department's Technical Services Division frequently issues a Crime Analysis Program announcement, which contains language from the SRS Manual on criteria for proper crime classification for assaults. The Department also produces Newsletters³ and electronic briefings stressing the importance of proper crime classification.

¹ Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program, Summary Reporting System (SRS) User Manual Version 1.0, Document Date: 06/20/2013, pages 37-42.

² The OIG's review was limited to six patrol stations.

³ Sheriff's Department Newsletter #147, "Common Statistical Code Reporting Errors"; Sheriff's Department Newsletter Vol. 4, No. 4, "Assault Stat Codes – Proper Assignment"

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The process for classifying an incident begins when an assault crime occurs. The Department's deputies initiate Incident Reports (SH-49) and select the appropriate statistical code using a variety of Department resources: their training and experience, the elements of the crime, and the criteria found in the SRS Manual (which for assaults is listed in the Department's Statistical Code Guide⁴). When completed, the report is forwarded to a supervisor, working in the capacity of sergeant, for review and approval. Once the supervisor approves the report, it is delivered to the Department's sheriff's station clerks who enter the initial information into the Los Angeles Regional Crime Information System (LARCIS).

PRIOR AUDITS

This audit report was the first Uniform Crime Reporting Assault Classification Audit conducted by IMPAAC.

METHODOLOGY

Scope

This audit was limited in scope, wherein the assessment only included the classification of assault crimes at the time of the initial report. The audit includes a review of incident reports involving assaults (simple and aggravated) reported in the Department's patrol operations. The SRS Manual was used in the analysis of the selected reports to determine if they were properly classified. The audit reviewed the initial crime classification used on the SH-49.

Audit Time Period

The time period for this audit was July 1, 2013, to June 30, 2014.

Audit Population

The population was identified from 6,088 Part I (aggravated) and 11,070 Part II (simple) assaults reported in the Department's patrol operations within the audit time period. The population was identified through LARCIS for all said crimes and separated into aggravated assaults and simple assaults. The total number of assault reports that were evaluated was 907 which included 447 aggravated assaults⁵ and 460 simple assaults.

⁴ The Department makes available to every member a Statistical Code Guide (SH-R-316) book which contains guidance on the selection of the proper statistical code for assaults found on pages 6, 8-10, 18, and 21 (08/2014 revision).

⁵ Avalon Station had only 8 aggravated assaults, and Cerritos had only 19 aggravated assaults that occurred during the audit time period available for review.

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The Uniform Report Numbers (URN) associated with the audit population were identified and recorded. URNs are report numbers used to accurately classify and compile statistical information. They are comprised of a 15 digit report number representing a retention period, the reporting year, the sequential number of the reports processed each year by the reporting unit, the reporting district or unit designation number, and the statistical code (Federal Bureau of Investigation Uniform Crime Reporting System [FBI/UCR]) for the crime or incident being reported. Any reports with a reporting district ending in 99 were excluded, as those identify incidents that did not occur in areas policed by the Department.

In evaluating assault reports, the Auditors deselected reports authored or approved by the Department's IMPAAC personnel. Due to the scope of this audit, any reports that did not have one of the assault statistical codes⁶ (either aggravated or simple) as the primary statistical code in the URN were also deselected.⁷

Sampling

Two non-stratified samples (one for aggravated assaults and one for simple assaults) were devised for each station within the Department's patrol operations. The Department requested 20 reports for aggravated assaults and 20 reports for simple assaults to be randomly selected from each of the Department's patrol stations. The total sample of 907 assault reports was well beyond that of a statistical one-tail test typically used. However, the sample was not appropriate for comparing the Department's stations individually and must be considered representative of the Department's performance as a whole.⁸ Consequently, the results should not be used as a comparison analysis among the Department's 23 patrol stations or the respective divisions given that a statistical stratification was not performed.

Fieldwork

The fieldwork for the audit was performed from September 26, 2014, to October 10, 2014. Telephonic and personal interviews took place with various Department personnel, as well as the retrieval of Sh-49s from the Department's patrol stations.

Source Documentation

The following publications were used as the authoritative materials for the audit:

- Department Manual of Policy and Procedures

⁶ Statistical codes for assault crimes are 050, 051, 052, 053, 054, 055, 056, 057, 058, 059 for aggravated assaults, and 144, 145, 146, 147, 149 for simple assaults.

⁷ Deselections were replaced with the next randomly selected report.

⁸ A statistical stratification for each of the stations would have provided for a representation of each station's overall assault (aggravated and simple) population.

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- Criminal Justice Information Services (CJIS) Division, Uniform Crime Reporting (UCR) Program, Summary Reporting System (SRS) User Manual, June 20, 2013
- Office of Inspector General memorandum dated September 8, 2014, addressed to the Los Angeles County Board of Supervisors
- Los Angeles Regional Crime Information System
- Sheriff's Electronic Criminal Document Archive (SECDA)
- Field Operations Directive 10-05, Domestic Violence Incident Reporting Procedures, issued December 29, 2010

SUMMARY OF FINDINGS

There is no crime within the California (State) Penal Code that defines "aggravated" or "simple" assaults. Reference to these terms is exclusively within the UCR, and utilized by the FBI to compare varying codes from jurisdictions within the United States. Assaults are the most difficult to classify because the categories do not easily translate into the numerous State laws that may be charged according to the evidence. However, it is important to note that irrespective of the classifications utilized according to the UCR, cases with sufficient evidence are prosecuted to the fullest extent of the law.

The audit findings were limited to assaults. The sample resulted in a total of 907 incident reports. Of this total, 418 simple assault reports (91 percent), and 357 aggravated assault reports (80 percent) were correctly classified; 42 (9 percent) of simple assaults and 90 (20 percent) of aggravated assaults did not meet the standard.

Table Number 1 on the following page provides a summary of findings per patrol station, which includes a percentage for each type of assault representing the level of compliance with correctly classified assault reports.

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Table Number 1 – Findings per Patrol Station

	Percent Aggravated Assaults Meeting the Standard	Number Not Meeting the Standard	Percent Simple Assaults Meeting the Standard	Number Not Meeting the Standard
NORTH PATROL				
Lancaster	95%	1	75%	5
Malibu / Lost Hills	95%	1	90%	2
Palmdale	85%	3	90%	2
Santa Clarita	80%	4	85%	3
West Hollywood	75%	5	100%	0
Totals	86%	14	88%	12
CENTRAL PATROL				
Avalon	75%	2	95%	1
Century	85%	3	90%	2
Compton	65%	7	90%	2
East Los Angeles	90%	2	95%	1
Marina Del Rey	55%	9	100%	0
South Los Angeles	65%	7	90%	2
Totals	72%	30	93%	8
SOUTH PATROL				
Carson	80%	4	90%	2
Cerritos	70%	6	95%	1
Lakewood	90%	2	90%	2
Lomita	65%	7	95%	1
Norwalk	95%	1	85%	3
Pico Rivera	90%	2	85%	3
Totals	82%	22	90%	12
EAST PATROL				
Altadena	100%	0	95%	1
Crescenta Valley	70%	6	100%	0
Industry	80%	4	80%	4
San Dimas	75%	5	95%	1
Temple	75%	5	90%	2
Walnut/Diamond Bar	80%	4	90%	2
Totals	80%	24	92%	10
ACCUMULATED TOTALS	80%	90	91%	42

Note: Table provided for overall view of the results. The sampling examined the Department as a whole to determine accumulated totals and should not be used to compare the effectiveness among individual stations or divisions.

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DETAILED FINDINGS

Objective Number 1 – Evaluation of Aggravated Assaults

Criteria

To perform this evaluation, the SRS Manual was used in defining aggravated assaults according to Federal standards. The SRS Manual defines an aggravated assault as the following:

“An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.”

Audit Procedures

This objective included the review of all SH-49s identified through LARCIS as having been coded as an aggravated assault during the audit time period. The reports were evaluated to determine whether the proper statistical code was utilized at the inception of the process, when the report was initially written, according to Federal guidelines as outlined in the SRS Manual (aggravated assault guidelines).

In determining whether the assault was aggravated, the following criteria was used:

- *Aggravated Assault* – Did the assault include a firearm of any type, knife or cutting instrument, or other dangerous weapon? Did the assault include hands, fists, feet, etc., resulting in serious or aggravated injury? Did the victim sustain a serious or aggravated injury as a result of the assault?

Any assault crime report found to have any of the above mentioned criteria included within the narrative met the standard for this objective.

Findings

Of the 447 aggravated assaults reviewed, 357 reports (80 percent) were classified correctly. Figure Number 1 on the following page illustrates the titles of aggravated assaults that were incorrectly classified.

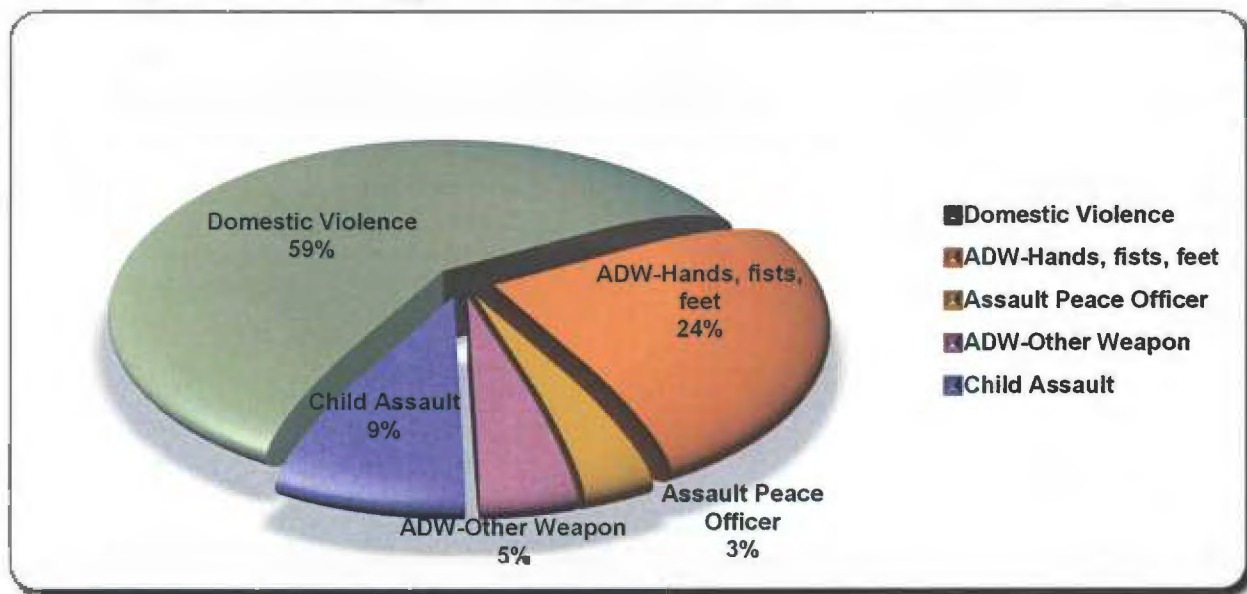
Of the 90 misclassified reports, 53 (59 percent) were titled as domestic violence. The second most frequently misclassified reports were incidents titled as assault with intent to cause great bodily injury through the use of hands, fists, and feet.⁹ These

⁹ Reports titled as assault with intent to commit great bodily injury and felony battery causing great bodily injury were

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represented 22 (24 percent) of the 90 misclassified aggravated assaults. Child assaults represented 8 reports (9 percent), assaults with other dangerous weapons represented 4 reports (5 percent), and assaults on peace officers represented 3 reports (3 percent).

Figure Number 1 Aggravated Assaults by Title Incorrectly Classified



The misclassified reports lacked the substantive justification to classify the incident as an aggravated assault according to the SRS Manual requirements. The lack of serious injury was the most cited reason these reports were incorrectly classified. According to the SRS Manual, when classifying assaults when no weapon is used, reporting agencies are to consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple.

Objective Number 2 – Evaluation of Simple Assaults

Criteria

To perform this evaluation, the SRS Manual was used for defining simple assaults. The SRS Manual defines simple assaults as follows:

“...includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.”

grouped into this category as the assaults were committed through the use of hands, fists, and feet (statistical code 054).

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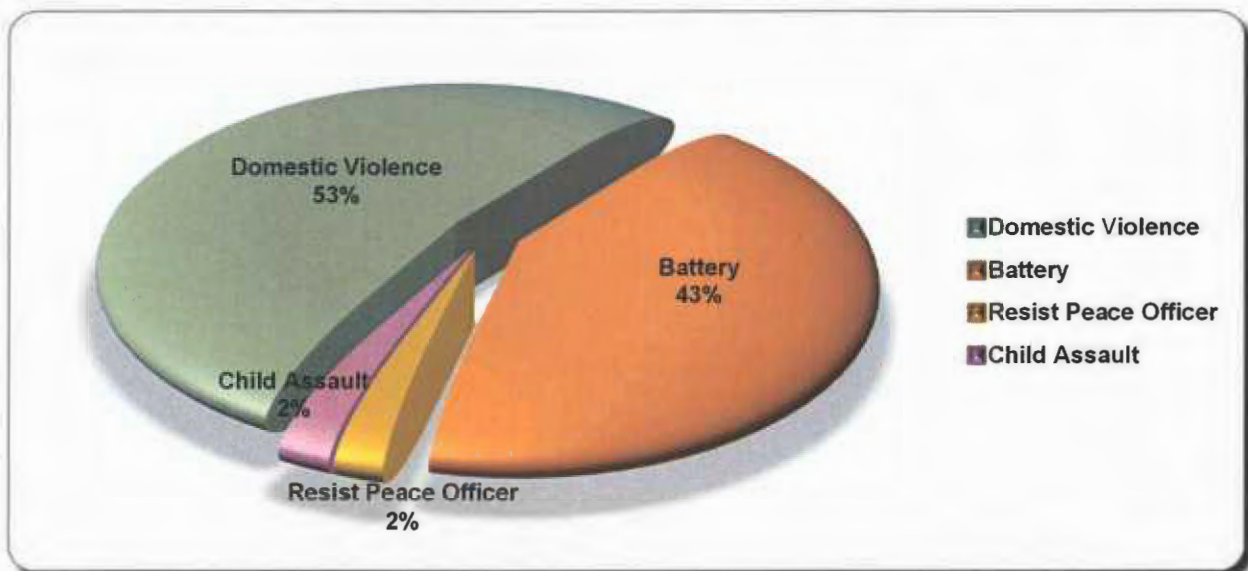
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Any report, which did not involve the use of a firearm, knife or cutting instrument, other dangerous weapon, or hands, fists or feet resulting in serious/aggravated injury, met the standard for this objective.

Findings

Of the 460 simple assaults reviewed, 418 reports (91 percent) were correctly classified. Figure number 2 below illustrates the titles of the simple assaults incorrectly classified.

Figure Number 2 Simple Assaults by Title Incorrectly Classified



Of the 42 misclassified simple assault reports, there were 22 domestic violence related incidents (53 percent); 18 (43 percent) were titled as “battery;” child assault and resisting a peace officer each represented one report (2 percent each).

In all of the misclassified simple assault reports titled as “domestic violence” incidents, either a weapon was used or the injury to the victim was considered serious. An assault should be considered aggravated if there are broken bones, internal injuries, stitches are required, or if the injuries require more than usual first-aid treatment, such as hospitalization (i.e., beyond treatment and release in the field by paramedic personnel).

Simple assault reports that were titled as battery shared the same errors as domestic violence incidents described above; the victim’s injuries required transportation to a hospital for further medical treatment beyond usual first aid or a weapon was used.

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In the simple assault report titled as "child assault," the victim was hit and injured in the head by an improvised weapon. In the report titled as "resisting a peace officer," the deputy sustained an injury requiring stitches.¹⁰

ADDITIONAL INFORMATION

In evaluating the reports that were frequently misclassified, the Auditors discovered a common trend; domestic violence related reports were the overwhelming majority. Domestic violence incidents represented 59 percent of incorrectly classified aggravated assault reports, and 53 percent of incorrectly classified simple assaults. The cause appears to be rooted in improperly evaluating the level of injury to the victim. The Auditors further discovered an additional trend to misclassify incidents in cases where the victim claimed to have been strangled ("choked").

The Department's IMPAAC Auditors spoke with a supervising member of the Department's Crime Analysis Program, and a lead instructor at the FBI/UCR Program regarding classification of domestic violence related crimes. Both stated the UCR Program does not view incidents of domestic violence and those where a victim claims strangulation as specific issues. Instead, the incident is viewed purely as either a simple assault or an aggravated assault.

The guidelines used by Federal standards involve the injuries to the victim (becoming unconscious, heavy bruising around the neck, possible internal injuries, etc.), and medical treatment (whether hospitalization or medical treatment beyond first aid was provided). If neither of these occurred, or they are not clearly articulated in the assault report, the incident would be classified as a simple assault. The instructor at the FBI/UCR Program further added the circumstances surrounding the incident may also be used to determine the intent of the suspect. If the suspect strangled the victim to the point of unconsciousness or near unconsciousness, or made statements he/she was going to kill the victim, the crime would be classified as an aggravated assault. If the injuries were minor, the incident would be classified as a simple assault. The subjective point was whether the reporting officer believed the suspect was actually attempting to kill the victim, and whether those facts and circumstances were articulated in the assault report.

According to the Department's Field Operations Directive 10-05, Domestic Violence Incident Reporting Procedures, a statistical code 050 should be used in cases of aggravated assault. The directive further states, "Strangulation may appear to be a minor or simple injury when it should be treated as a serious or aggravated injury." The analysis conducted in this audit showed Department members are incorrectly classifying domestic violence incidents, wherein victims claimed they were strangled ("choked"), as

¹⁰ According to the SRS Manual (p.40), an assault is aggravated if the personal injury is serious; for example, there are broken bones, internal injuries, or stitches required.

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aggravated assaults relying instinctively on this information without providing any substantive details, articulation of injury, or facts relaying the suspect's intent to justify the classification.

During the course of retrieving reports for this audit, it was evident that not all of the Department's patrol stations had implemented the Department's Sheriff's Electronic Criminal Documents Archive (SECDA) System. The SECDA System is a means by which users can access SH-49s and other documents remotely through LARCIS. Station personnel are responsible for uploading the appropriate documents into the system at the station level. To date, not all of the Department's patrol stations have fully implemented the SECDA System.

RECOMMENDATIONS

1. It is recommended the Department clarify the language in the Department's Field Operations Directive 10-05, Domestic Violence Incident Reporting Procedures, regarding the evaluation of reports where the victim claims strangulation. The current wording may be subject to misinterpretation as to the evaluation of the incident as a simple or aggravated assault.
2. Per the SRS Manual, reporting agencies are to examine and classify assaults according to the Federal standard UCR definitions, regardless of whether they are termed misdemeanors or felonies by local definitions. It is recommended Department members receive additional training on the evident differences between the crime classification of an incident as a misdemeanor or felony, and the UCR's coding specification through the proper use of Department statistical codes.
3. The Department's patrol stations are inconsistent when it comes to utilizing SECDA. For consistency, transparency, and overall efficacy of the Department, it is recommended that all of the Department's patrol stations implement and utilize the SECDA system.